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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
ATSUSHI TOMOKUNI : EXAMINER: CHANNAVAJJALA, L.
SERIAL NO: 10/743,080 :
FILED: DECEMBER 23, 2003 : GROUP ART UNIT: 1611
FOR: SKIN CLEANSING :
COMPOSITION

DECLARATION UNDER 37 C.F.R. §1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Mr. Atsushi Tomokuni who deposes and declares that:

1. I am a graduate of Kyoto University, the Graduate School of Engineering, and received my Masters degree in the year 1998, with a major in synthetic chemistry.
2. I have been employed by Kao Corporation the assignee of the above-identified application and since 1998 been employed as a researcher in the Beauty Care Research Laboratories, responsible for development of skin cleansing compositions.
3. I am a named inventor of the above-identified application.
4. In order to test the effectiveness of make-up removal, the following experiments were conducted by me or under by direct supervision or control.

Examples 1, 10 and 11 according to the above-identified application were

prepared. Example 1 of Watanabe et al. U.S. 6,346,507 was also prepared. The compositions are reported as follows:

			Example 1	Example 9	Example 10	Reference
A:	Oil Component	Hydrogenated polyisobutene	10.0	10.0	10.0	
		Decamethylcyclopentasiloxane				25
B:	Hydrophilic nonionic surfactant	POE(12)laurate	14.0	14.0	8.0	
		POE(5) lauryl ether				25
C:	Lipohilic amphiphile	Lauryl alcohol	6.0			
		Lauric acid		6.0		
		Lauryl Phosphate			12.0	
D:	Water soluble solvent	Ethanol	25.0	25.0	20.0	5.0
E:	Water	Purified water	45.0	45.0	50.0	25.0

Examples 1, 10, 11: Examples in the above-identified application

Reference : Example 1 of U.S. 6,346,507 Watanabe et al. (State of phase: Liquid crystal)

Evaluation of cleansing ability to Waterproof mascara

Method:

1. Apply 10 mg of waterproof mascara(*) on the inside of forearm.
(* Maybelline Volume Express Turbo Boost 01 Black)
2. After 3 hours aeration, apply a drop of cleansers on the waterproof mascara
3. Massage the cleanser for 10 times, following with rising off by running water.

Results



Example 1 Not treated Reference 1

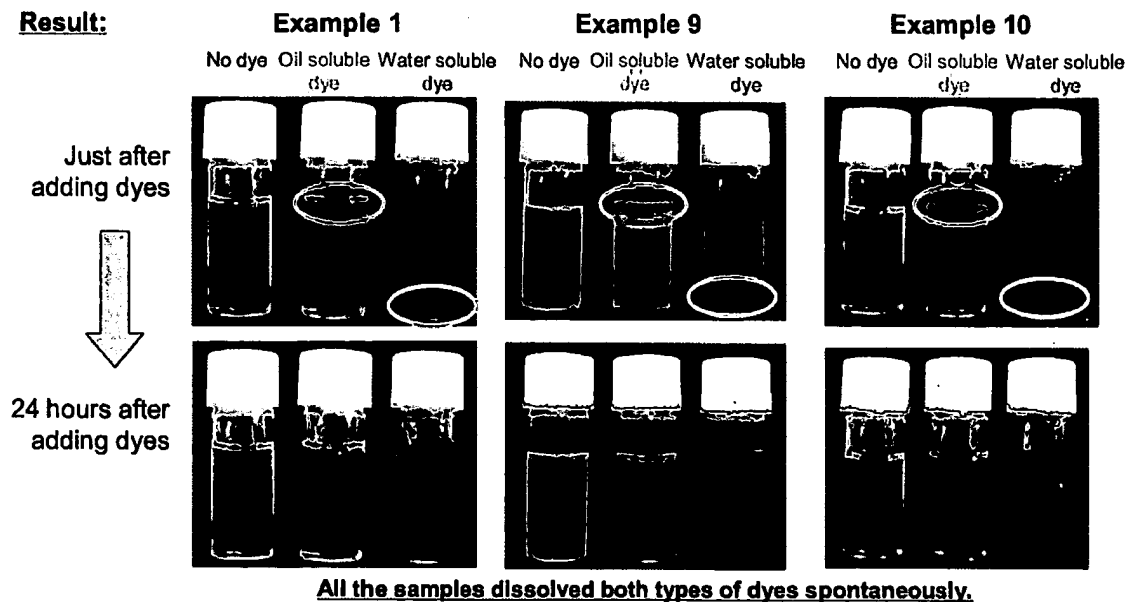
Example 1, having an isotropic solution having a bicontinuous structure showed a greater degree of effectiveness at removing a waterproof mascara, than the reference example 1 according to Watanabe et al. which exhibited a liquid crystal solution structure.

Dye solubility tests for the Example 1, 2, 3

Method:

1. Each solution was put in a glass bottle.
2. A few drops of a water-soluble dye (**blue**) or an oil-soluble dye (**red**) was carefully placed on the surface of the solutions.
3. Pictures were takes just after adding dyes and after 24 hours and reported as follows:

Result:



The observation of spontaneous dissolution of the oil soluble dye and the water soluble dye suggests that all three samples had a bicontinuous structure.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is believed to be true and correct. 28 USC 1746(1)

Atsushi Tomokuni
Atsushi Tomokuni

December 9, 2009
Date